

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Financial Services
AGENDA DATE: August 21, 2007
CONTACT PERSON/PHONE: Gonzalo Cedillos, P.E., 541-4074
DISTRICT(S) AFFECTED: All



CITY CLERK DEPT.
07 AUG 13 AM 11:52

SUBJECT:

That City staff adopt the following policy guidelines when identified parcels of the City of El Paso's real property are processed for sale or other disposition:

1. Property that could potentially have a historic value will be forwarded to the City's Historic Preservation Officer (HPO) for review before it comes to the Capital Assets Real Estate (CARE) Committee, and, if necessary, the HPO will recommend that an "H" overlay be initiated by the City. If the HPO recommends that an "H" overlay is appropriate, the City will initiate the zoning change prior to the sale or disposition of the identified parcel.
2. Property that could potentially be used for residential uses will be forwarded to the Community and Human Development Department Director, or designee, for review before it comes to the CARE Committee to review the condition of the property and to determine the deteriorating influence and the impact on the surrounding neighborhood and to determine the availability of affordable housing opportunities after the sale or disposition of the identified parcel,
3. On a case-by-case basis, and in those cases where a property may have a deteriorating influence on the surrounding neighborhood because the property is in a state of disrepair, the CARE Committee will recommend all or some of the following restrictions on the sale or disposition of the identified parcels:
 - a. Documents for the sale or disposition of the property will require potential buyers to identify a proposed use(s) for the real property, and this proposed use plan will be incorporated into the contract for sale or deed,
 - b. As applicable, the City will require that any real property sold or otherwise disposed of must be renovated and maintained to comply with all applicable City of El Paso Code provisions.
 - c. All renovations required by the El Paso City Code will be completed and appropriate certificates of occupancy will applied for and obtained within a reasonable time frame as identified in the contract of sale or deed,
 - d. A Buyer of City real property must agree to request timely inspections to ensure compliance with all applicable City of El Paso Code provisions in order to receive appropriate certificates of occupancy for all buildings within a time frame identified in the contract of sale or deed. All costs associated with such inspections shall be the Buyer's responsibility,
 - e. Between the date of closing and the completion of all renovations, the Buyer shall keep the real property properly secured and clean in conformance with applicable City of El Paso Code provisions,
 - f. If, in its sole discretion, the City determines that the Buyer has not complied with the terms and conditions related to the sale or disposition of an identified parcel, the City reserves the right to enforce the restriction(s) in accordance with the provisions of the contract of sale or deed, which may include an option for the City to repurchase the property from the Buyer at the original sale price the Buyer paid the City for the real property, because the Buyer's failure to comply with the terms and conditions related to the sale resulted in a failure to contribute to improving the safety and quality of life in the surrounding neighborhood, which is a condition precedent to the sale or disposition of the identified parcel.

BACKGROUND / DISCUSSION:
Policy needed for urban redevelopment

AMOUNT AND SOURCE OF FUNDING:
N/A

PRIOR COUNCIL ACTION:
N/A

BOARD / COMMISSION ACTION:
Legislative Review Committee for Community Development & Economic Development and CARE Committee direction & approval

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example: *Carmen Amrita-Candelaria* if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.

Resolution

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WHEREAS, the staff continuously updates the City of El Paso's inventory of its real estate holdings, and

WHEREAS, the City staff may identify real property which may be surplus or no longer needed for a municipal purpose, and the City staff may recommend the sale or disposal of an identified parcel, and

WHEREAS, the City, as a real property owner, is concerned with urban redevelopment and affordable housing, and

WHEREAS, the City Council has an identified objective in selling or disposing of City real property, which is to return real property to the tax rolls and to enhance the value of the ownership to the surrounding properties,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That City staff adopt the following policy guidelines when identified parcels of the City of El Paso's real property are processed for sale or other disposition:

1. Property that could potentially have a historic value will be forwarded to the City's Historic Preservation Officer (HPO) for review before it comes to the Capital Assets Real Estate (CARE) Committee, and, if necessary, the HPO will recommend that an "H" overlay be initiated by the City. If the HPO recommends that an "H" overlay is appropriate, the City will initiate the zoning change prior to the sale or disposition of the identified parcel.
2. Property that could potentially be used for residential uses will be forwarded to the Community and Human Development Department Director, or designee, for review before it comes to the CARE Committee to review the condition of the property and to determine the deteriorating influence and the impact on the surrounding neighborhood and to determine the availability of affordable housing opportunities after the sale or disposition of the identified parcel,
3. On a case-by-case basis, and in those cases where a property may have a deteriorating influence on the surrounding neighborhood because the property is in a state of disrepair, the CARE Committee will recommend all or some of the following restrictions on the sale or disposition of the identified parcels:
 - a. Documents for the sale or disposition of the property will require potential buyers to identify a proposed use(s) for the real property, and this proposed use plan will be incorporated into the contract for sale or deed,
 - b. As applicable, the City will require that any real property sold or otherwise disposed of must be renovated and maintained to comply with all applicable City of El Paso Code provisions.

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- c. All renovations required by the El Paso City Code will be completed and appropriate certificates of occupancy will applied for and obtained within a reasonable time frame as identified in the contract of sale or deed,
- d. A Buyer of City real property must agree to request timely inspections to ensure compliance with all applicable City of El Paso Code provisions in order to receive appropriate certificates of occupancy for all buildings within a time frame identified in the contract of sale or deed. All costs associated with such inspections shall be the Buyer's responsibility,
- e. Between the date of closing and the completion of all renovations, the Buyer shall keep the real property properly secured and clean in conformance with applicable City of El Paso Code provisions,
- f. If, in its sole discretion, the City determines that the Buyer has not complied with the terms and conditions related to the sale or disposition of an identified parcel, the City reserves the right to enforce the restriction(s) in accordance with the provisions of the contract of sale or deed, which may include an option for the City to repurchase the property from the Buyer at the original sale price the Buyer paid the City for the real property, because the Buyer's failure to comply with the terms and conditions related to the sale resulted in a failure to contribute to improving the safety and quality of life in the surrounding neighborhood, which is a condition precedent to the sale or disposition of the identified parcel.

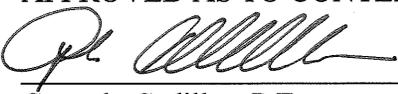
ADOPTED this _____ day of _____, 2007.

THE CITY OF EL PASO

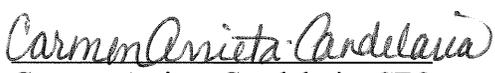
John F. Cook, Mayor

ATTEST:

Richarda D. Momsen, City Clerk

APPROVED AS TO CONTENT:


Gonzalo Cedillos, P.E.
Capital Assets Manger

APPROVED AS TO CONTENT:


Carmen Arrieta-Candelaria, CFO
Financial Services

APPROVED AS TO FORM:


Theresa Cullen-Garney
Deputy City Attorney